

State of Hawaii
DEPARTMENT OF LAND AND NATURAL RESOURCES
Division of Aquatic Resources
Honolulu, Hawaii 96813

April 24, 2009

Board of Land
and Natural Resources
Honolulu, Hawaii


Request for Approval of Special Activity Permit 2009-86 for Dr. Greta Aeby of
The University of Hawaii at Manoa, Department of Natural Resources & Environmental
Management, and Designated Assistants

The applicant proposes to conduct activities relating to research on marine fish and corals at two sites, one in Hanalei, Kauai and the other along South Molokai. These activities include the collection of various regulated and non-regulated marine species and will involve the taking of 2, 2-in² samples from live corals only when they have visible disease lesions. Fish species will not have visible lesions and whole fish may be taken. State laws prohibit the taking of any live corals and more than 50 white weke under 7" in Fork Length per person per day. A maximum of 10 coral samples per listed species per site (two sites) and 20 per listed fish species per site are authorized.

RECOMMENDATION:

"That the Board authorize and approve, with stated conditions, this Special Activity Permit for Dr. Greta Aeby of The University of Hawaii at Manoa."

Respectfully submitted,



DAN POLHEMUS
Administrator

APPROVED FOR SUBMITTAL:



LAURA H. THIELEN
Chairperson

Department of Land & Natural Resources
DIVISION OF AQUATIC RESOURCES
1151 Punchbowl Street, Room 330
Honolulu, Hawaii 96813

Date Issued: April 24, 2009

Valid not longer than April 23, 2010

SPECIAL ACTIVITY PERMIT

The Department of Land and Natural Resources hereby grants permission for certain activities involving aquatic organisms belonging to the people of Hawaii, under Section 187A-6, Hawaii Revised Statutes, and other applicable laws.

The Permittee is

Name: Greta Smith Aeby Address: Natural Resources & Env Management
Title: Scientist 1910 East-West Road, Sherman Lab 232
Affiliation: University of Hawaii at Manoa Honolulu, HI 96822

This permit is issued, subject to the general and special conditions, to take fish and coral samples from diseased animals with visible lesions from the following species listed in the table below to study stress proteins in response to munitions-related contamination and lesion regeneration rates.

Common Name	Scientific Name	Number Specimen; Special Conditions II.A & B.	Collecting Location
Taape	<i>Lutjanus kasmira</i>	Max 20/site	Hanalei, Kauai & South Molokai
White Weke	<i>Mulloidichthys flavolineatus</i>	Max 20/site; Max 5/site less than 7" FL	"
Red Weke	<i>M. vanicolensis</i>	Max 20/site with max 5/site less than 7" FL	"
Coral	<i>Porites lobata</i>	Max 10/site	"
Coral	<i>Pocillopora meandrina</i>	Max 10/site	"
Coral	<i>Pocillopora montipora</i>	Max 10/site	"
Coral	<i>P. meandrina</i>	Max 10/site	"
Coral	<i>P. eydouxi</i>	Max 10/site	"
Coral	<i>Montipora flavalata</i>	Max 10/site	"
Coral	<i>M. patula</i>	Max 10/site	"
Coral	<i>Porites compressa</i>	Max 10/site	"
Coral	<i>P. rus</i>	Max 10/site	"
Coral	<i>P. evermanii</i>	Max 10/site	"

I. GENERAL CONDITIONS:

- A. This permit does not make the Department of Land and Natural Resources or the State of Hawaii liable in any way for any claim of personal injury or property damage to the permittee or assistants which may occur during any activity conducted under this permit; moreover, the permittee and all assistants agree to hold the State harmless against any and all claims of personal injury, death or property damage resulting from activities of the permittee or any assistant.
- B. This permit conveys a privilege to engage in only those activities under the jurisdiction of the Department of Land and Natural Resources. The permittee is responsible for complying with all applicable County, State, and Federal requirements. The permit does not convey any privilege of access over or through private property.
- C. The permittee and each assistant are individually responsible and accountable for their actions while conducting activities authorized under this permit; additionally, the permittee is responsible and accountable for the actions of the permittee's assistants.
- D. This permit is not transferable or assignable. Any person whose name does not appear on this permit and is conducting any activity described herein is subject to prosecution for violation of State laws.
- E. The permittee may request changes to the permit. Any such request to make changes to the permit must be made in writing and received by the Department at least thirty days prior to the change. The addition of new assistants will require each individual to sign the Attachment on page 6 stating that they have read, understood, and agree to abide by all general and special permit conditions. No change may be implemented without written approval from the Department.
- F. The permittee may request to:
 - 1. Add assistants to the permit;
 - 2. Add another permittee or replace an existing permittee in the manner stated above; and
 - 3. Change the activities authorized under this permit.
- G. The permittee or their assistant(s) must have with them a copy of this permit while conducting activities authorized by this permit.
- H. This permit authorizes collection of organisms protected by Federal law only with prior appropriate Federal authority, which must be described on Page 1 of this permit (if applicable).
- I. This permit does not authorize the sale of any collected organism or parts therefrom.

- J. This permit expires on the date indicated on Page 1. Within one month of the expiration date, the permittee must return this permit to the address listed on the upper left corner of page 1 with complete information on all activities authorized under this permit, on the attached Activity Report form.
- K. The permittee and assistants agree to provide access to data obtained under authority of this permit upon request of the Division of Aquatic Resources, and to provide to the Division a copy of each report, published for distribution, prepared with data obtained under this permit. The permittee agrees to provide the Division of Aquatic Resources access to organisms obtained and held under this permit for on-site inspection.
- L. The permittee agrees to notify the island office of the Division of Conservation and Resources Enforcement at least 24 hours prior to any authorized activity being conducted in the field. Please provide the permittee name, the permit number, the date, time, and location of the planned activity, and contact information.
- M. A violation of any terms or condition of this permit or any violation of State law not covered by this permit may result in revocation of the permit and other penalties as provided by law. In addition, the Department may consider any such violation as grounds for denying any future application for this or any other permit issued by the Department. The permit may not be reissued if the permittee is not in compliance with the terms and conditions of this permit or any other permit issued to the permittee by the department of land and natural resources.

II. SPECIAL CONDITIONS

- A. This permit authorizes the use of hammers and chisels and bone cutters to take samples from coral of the species listed on page 1. The samples may not exceed 2-inch² pieces and may **only** be taken from corals when there are **visible lesions present**. One additional sample may be taken from a non-lesion area on the same coral colony. For fish, the whole fish may be taken, whether lesions are visible or not.
- B. The following sampling regime per site is authorized: for fish - up to 20 taape and red weke of any size, up to 5 white weke less than 7" Fork Length (FL), up to 20 white weke greater than 7" FL. For corals – up to 10 of the listed coral species. No more than two sites are authorized as identified on page 1.
- C. Whenever a coral sample is taken, photos will be made of the lesion area prior to and immediately after removal from the coral and submitted as part of the report as required under General Conditions I.J. Photos will also be made of the lesion area on each fish prior to removal and submitted in the report.
- D. No sampling will be conducted within a State restricted take area, such as a marine life conservation district, fisheries management area, natural area reserve, wildlife refuge, etc.

- E. Chemicals to take samples is expressly prohibited under this permit but may be used on board to preserve samples once taken and to disinfect gear and instruments to prevent spread of disease.
- F. The primary permittee and designated assistants are required to obtain permission before entering upon lands or waters not under the jurisdiction of the Department.
- G. This permit does not by implication authorize the primary permittee or any designated assistant to engage in any other activity that is in violation of any other State, Federal or County law, regulation or ordinance.

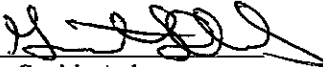
LAURA H. THIELEN, Chairperson
Department of Land and Natural Resources

cc: (x) DOCARE
(x) DAR-Kauai
(x) DAR-Molokai

SIGNATURES AND AGREEMENT

By my signature below, I acknowledge receipt and understanding of the general and special conditions of this Special Activity Permit. Further, I agree to abide by all of these conditions when conducting activities authorized by this permit.

PRINCIPAL PERMITTEES:


Greta Smith Aeby

DESIGNATED ASSISTANTS:

Signature: _____	Signature: _____
Print Name: _____	Print Name: _____
Signature: _____	Signature: _____
Print Name: _____	Print Name: _____
Signature: _____	Signature: _____
Print Name: _____	Print Name: _____
Signature: _____	Signature: _____
Print Name: _____	Print Name: _____
Signature: _____	Signature: _____
Print Name: _____	Print Name: _____
Signature: _____	Signature: _____
Print Name: _____	Print Name: _____
Signature: _____	Signature: _____
Print Name: _____	Print Name: _____

ACTIVITY REPORT

Results of all activities performed under authority of this permit must be reported on this form (or copies) within one month after the permit expires (see first page). Use as many sheets as you need. Submit the report to the Division of Aquatic Resources at 1151 Punchbowl Street, Room 330, Honolulu, HI 96813.

Date	Location	Common or Scientific Name	Quantity Collected*	Disposition of Specimens
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Permittee Signatures

_____ Printed name	_____ Signature	_____ Date
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_____ Printed name	_____ Signature	_____ Date
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*If salvaged (collected because the specimen was dead or injured already), please detail circumstances: condition (dead, or describe extent of injury), how or from whom the specimen was obtained.

ATTACHMENT FOR DESIGNATED ASSISTANTS ONLY

Primary Permittee: Greta Smith Aeby

I, being the primary permittee, hereby acknowledge the addition of the following designated assistants.

Greta Smith Aeby

Date

ADDITIONAL DESIGNATED ASSISTANTS

We, the undersigned, have read, understand, and agree to all conditions stipulated in the above Special Activity Permit.

Signature _____

Print Name: _____

Signature _____

Print Name: _____

Signature _____

Print Name: _____

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